

IAP12 Rec'd PCT/PTO 16 MAR 2007

PATENT

Docket No.: 59087US004

32692

Customer Number



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARC PEUKER, ARNO HOHMANN,
DIETER POSCHMANN and KERSTIN R.
JANZ

Serial No.: 10/576,910
Filed: October 20, 2004
(April 24, 2006)
For: DEVICE FOR STORING AND
DISPENSING A FLOWABLE
SUBSTANCE

Confirmation No. 7395

Group Art Unit:

Examiner:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

March 13, 2007

Date

Judy L Hansen

Signature Judy L. Hansen

**LATE SUBMISSION OF DECLARATION UNDER 35 USC 371
AND TRANSMITTAL OF ASSIGNMENT FOR RECORDING**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Enclosed herewith is a Declaration and Power of Attorney for the above-identified application, along with a copy of the Patent and Trademark Office's Notice of December 22, 2006. An assignment to 3M ESPE AG is also enclosed.

Authorization is hereby provided to charge any fee required in connection with this paper, including the \$130.00 fee under 37 CFR 1.492(h) for a surcharge for filing this late Declaration, to Deposit Account No. 13-3723. Please also

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charge the fee of \$40.00 for recording of the assignment, which is hereby requested, to the same deposit account.

A separate cover letter directed to the Assignment Branch is enclosed to which a copy of the assignment is attached.

Having now complied with all of the requirements of 35 USC 371, applicants respectfully request that this application be placed on the files for examination.

Respectfully submitted,



Peter L. Olson
Registration No. 35,308
Attorney for Applicants

PLO:jlh/#287470 - 59087US004 Response to Notification of Missing Requirements
Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
(651) 736-4050
Facsimile (651) 736-3833

Dated: *March 13, 2007*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,910	Marc Peuker	59087US004
		INTERNATIONAL APPLICATION NO.
		PCT/EP04/11876
32692 3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427	3M INNOVATIVE PROPERTIES COMPANY OFFICE OF INTELLECTUAL PROPERTY CO. 33427 DEC 27 2006	I.A. FILING DATE PRIORITY DATE
		10/20/2004 10/24/2003
CONFIRMATION NO. 7395 371 FORMALITIES LETTER		
REFERRED TO: _____		
OC000000021662199		

Date Mailed: 12/22/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/24/2006
- Copy of the International Search Report filed on 04/24/2006
- Copy of IPE Report filed on 04/24/2006
- Preliminary Amendments filed on 04/24/2006
- U.S. Basic National Fees filed on 04/24/2006
- Priority Documents filed on 04/24/2006
- Specification filed on 04/24/2006
- Claims filed on 04/24/2006
- Abstracts filed on 04/24/2006
- Drawings filed on 04/24/2006

2/22/07
 DATE(S)
 PLO
 KEY
 SPED

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,910	PCT/EP04/11876	59087US004

FORM PCT/DO/EO/905 (371 Formalities Notice)